

10/500522  
10 Rec'd PCT.PTC

06 APR 2005



<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> (37 CFR 1.63)		Attorney Docket No.	297912004400
		First Named Inventor	Norbert HESKE
		<b>COMPLETE IF KNOWN</b>	
		Application Number	10/500,522
<input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)		Filing Date	
		Art Unit	Unknown
		Examiner Name	Unknown

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BIOPSY DEVICE FOR REMOVING TISSUE SPECIMENS USING A VACUUM**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on March 17, 2003 as United States Application Serial No. or PCT International Application No. PCT/DE03/00844 and was amended on \* (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

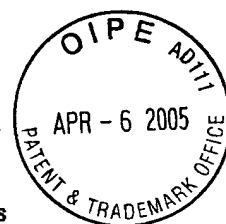
I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date

la-667558

Best Available Copy



I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
DE 202 04 363.0	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 04 362.2	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 09 525.8	Germany	19 June 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 11 934.3	Germany	02 August 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 102 12 139.7	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 102 12 155.9	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 102 12 156.7	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 04 361.4	Germany	19 March 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 09 530.4	Germany	19 June 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE 202 15 962.0	Germany	17 October 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
*	.	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby appoint the practioners at Customer Number: 25224

all of Morrison & Foerster, LLP, 555 West Fifth Street, Los Angeles, CA 90013, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Todd W. Wight at Customer Number 25224, whose address is:

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555 West Fifth Street  
Suite 3500  
Los Angeles, California 90013-1024

Please direct all telephone calls to Todd W. Wight at (949) 251-7189.

Please direct facsimiles to: (213) 892-5454

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Febr. 29. 2005

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